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September 21, 2007

RE: SEP 25 2007
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 REPLY TO: New York

BY FEDERAL EXPRESS

Hon. Colleen McMahon, USDJ
 Daniel Patrick Moynihan United States Courthouse
 500 Pearl St., Room 640
 New York, NY 10007

Re: Hertzoff v. United Orthopaedic Appliances Co., Inc. and Diaz -07-cv-03157

Dear Judge McMahon:

The parties jointly propose this application to extend the end-date for discovery from December 20, 2007 to June 20, 2008. The reason for this request is that the parties have renewed settlement negotiations and feel it would be prudent and efficient to postpone discovery in order to enhance the possibility of successful negotiations. This is the parties' first request for an extension of the discovery deadline.

Your consideration is greatly appreciated..

Respectfully submitted,

Andrew L. Zwerling

Hon. Colleen McMahon, USDJ

September 21, 2007

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cc: George Hinckley
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Colleen M. Tarpey